

REMARKS

This is intended as a full and complete Response to the Office Action dated September 30, 2003, having a shortened statutory period for response extended one month to expire on January 30, 2004. Claims 1-105 remain pending in the application and are shown above. Claims 23-105 stand withdrawn by the Examiner. Claims 1-22 stand rejected. Applicants have added new claims 106-129 to more clearly recite aspects of the invention.

Applicants have amended claim 1 for reasons stated below. Applicants request consideration of claim 62-74 on grounds that claim 62 is a combination of claim 1 as amended, and thus is drawn to the same invention as claim 1. Applicants further submit that new claim 106 is a subcombination of claim 1 and new claim 118 is a combination of claim 106. Similarly, Applicants have amended base claims 23, 34, and 45 to present these claims as combinations of claim 1. Accordingly, consideration of new claims 106-129 and 23-62 is respectfully requested. Further, Applicants have cancelled claims 15, 28, 43, 52 and 75-105 without prejudice to or disclaimer of the subject matter contained therein. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-3, 6-8, 10, 18-19 and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Kawata et al.* (U.S. Patent No. 5,338,363). Claims 1, 3-5, 9, 11-14, 18-19 and 21 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Tarutani et al.* (U.S. Patent No. 6,179,920). Claims 15-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Tarutani et al.* as applied to claims 1, 3-5, 9, 11-14, 18-19 and 21 above, and further in view of *Okayama et al.* (U.S. Patent No. 6,334,983). Claims 20 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Tarutani et al.* as applied to claims 1, 3-5, 9, 11-14, 18-19 and 21 above, and further in view of *Huang et al.* (U.S. Patent No. 4,907,534).

Applicants have amended base claim 1 to include the limitation of the "tapered bottom surface" as was recited in dependent claim 15. Accordingly, a discussion of the cited references and rejections of the Claims, other than Claim 15, is not necessary. Regarding Claim 15, the Examiner states that claim 15 is rejected because *Tarutani et*

al. discloses the claimed invention except for the tapered bottom surface. The Examiner then states that *Okayama et al.* "teaches tapering a surface adjacent to a processing chamber so that an edge is not formed, which results in improved plasma resistance and uniform gas distribution over a workpiece placed in the processing chamber." The Examiner, therefore, concludes that it would have been obvious to provide a tapered bottom surface in *Tarutani et al.* in order to achieve improved plasma resistance and uniform gas distribution over a workpiece placed in the processing chamber as taught by *Okayama et al.*

Applicants respectfully traverse this rejection. Applicants agree that *Tarutani et al.* does not teach, show, or suggest a tapered bottom surface as now recited in claim 1. However, Applicants disagree that *Okayama et al.* in combination with *Tarutani et al.* suggests the subject matter of the pending claims. *Okayama et al.* discloses an upper electrode for an etching system having a plurality of gas discharge holes. Insulating members are then fitted into the discharge holes, and these insulating members may each be "substantially tapered so as to expand toward the processing chamber." (See *Okayama et al.*, at col. 3, line 66 through col. 4, line 10 and at Figures 2-7.) *Okayama et al.* does not relate to a covering member comprising a tapered bottom surface extending from the expanding channel to a peripheral portion of the covering member, as recited in claim 1 as amended and all other pending claims. Likewise, a combination of the references, *Tarutani et al.* and *Okayama et al.*, does not motivate or suggest a covering member comprising an expanding channel at a central portion of the covering member and comprising a tapered bottom surface extending from the expanding channel to a peripheral portion of the covering member, as recited in the base claims, as well as those dependant therefrom. Accordingly, withdrawal of the rejection and allowance of the claims is respectfully requested.

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicants' disclosure than the primary references cited in the Office Action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete Response to this Office Action.

PATENT
Atty. Dkt. No. AMAT/5192.02/CPUCOPPER/PJS

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the Office Action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,

Robb D. Edmonds

Robb D. Edmonds
Registration No. 46,681
MOSER, PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicants

247181_2

Page 17